

**Staff
Summary
Report**



**To: Mayor & City Council
Through: City Manager**

**Agenda Item Number 50
Meeting Date 11/18/99**

SUBJECT: ORDINANCE FOR INTRODUCTION

**PREPARED BY: JIM CRISTEA, ENGINEERING MANAGER, LAND SERVICES
(350-8417)**

REVIEWED BY: HOWARD C. HARGIS, CITY ENGINEER (350-8250)

BRIEF: Set a public hearing for **DECEMBER 9, 1999, AND DECEMBER 16, 1999**, for the partial abandonment of a drainage easement at Arroyo One Building, 1295 W. Washington Street within Papago Park Center.

COMMENTS: ABANDONMENT (0901) ORDINANCE NO. 99.43 Set a public hearing for **DECEMBER 9, 1999, AND DECEMBER 16, 1999**, for the partial abandonment of a drainage easement at Arroyo One Building, 1295 W. Washington Street within Papago Park Center.

Document Name: (991118PWDR09) Supporting Documents: Yes

SUMMARY: The partial drainage easement to be abandoned was recorded in Instrument 98-0800456. An error was made in the legal description rendering a small portion of the existing easement under a corner of the Arroyo building. Staff supports the abandonment.

RECOMMENDATION:

That the City Council hold a public hearing and adopt Ordinance No. 99.43 and authorize the Mayor to execute any necessary documents.

Approved by Judith Greenberg, Public Works Director

ORDINANCE NO. 99.43

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF
TEMPE, ARIZONA, PARTIALLY ABANDONING A
DRAINAGE EASEMENT LOCATED AT 1295 W.
WASHINGTON STREET, WITHIN PAPAGO PARK CENTER.

WHEREAS, it has been determined by the City Council of the City of Tempe that
a portion of a certain easement which was intended for drainage is no longer required by the City
of use as such, and

WHEREAS, it would appear to be in the best interest of the City of Tempe to
abandon said portion of easement , and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE
CITY OF TEMPE, MARICOPA COUNTY, ARIZONA, AS FOLLOWS:

SECTION I. That the City of Tempe does hereby abandon, relinquish, and
vacate portion of an existing easement which was intended for drainage as described and
delineated on EXHIBIT "A" attached hereto.

SECTION II. That all rights of the City in the portion of easement to be
abandoned shall vest in the record owner(s) of the subject property and shall be subject to the
same encumbrances, liens, limitations, restrictions, and estates as exist on the land of which the
easement is a part.

SECTION III. That the Mayor is hereby authorized to execute any documents that may be necessary to carry out the provisions of this ordinance.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF TEMPE,

ARIZONA this _____ day of _____, 1999.

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

Darrel E. Wood, P.E., R.L.S.
Ashok C. Patel, P.E., R.L.S.
James S. Campbell, P.E.
Gordon W. R. Wark, P.E.
Thomas R. Gettings, R.L.S.
Bruce Friedhoff, P.E.
Scott A. Nelson, R.L.S.
Richard L. Hiner, P.E.
Timothy A. Huval, P.E.
Michael J. Sexton, R.L.S.
Jack K. Moody, P.E.
Leslie J. Kland, P.E.
Curtis L. Brown, P.E.
R. Scott Rasmussen, P.E.
Paul M. Haas, P.E.
Shimin Zou, Ph.D., P.E.
Michael T. Young, P.E.
Shawn D. Gustafson, P.E.
John Bulka, P.E.
Robert J. Hedrick, P.E.

WP #97597.04
September 9, 1999
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See Exhibit "A"

PARCEL DESCRIPTION
Proposed Abandonment of a Portion of an
Existing Drainage Channel Easement

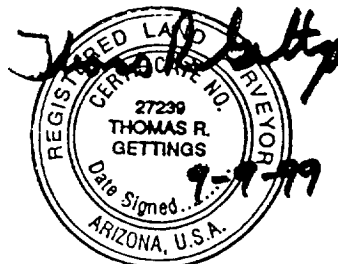
A parcel of land lying being a portion of an existing drainage channel easement, recorded in Instrument 98-0800456, Maricopa County Recorder, lying within Section 9, Township 1 North, Range 4 East, of the Gila and Salt River Meridian, Maricopa County, Arizona, more particularly described as follows:

Commencing at the west quarter corner of said Section 9;
THENCE along the west line of said Section 9, North $00^{\circ}22'49''$ East, a distance of 500.17 feet, to the southerly right-of-way line of Washington Street;
THENCE leaving said west line along said southerly right-of-way line, South $79^{\circ}13'31''$ East, a distance of 193.14 feet, to the beginning of a non-tangent curve;
THENCE easterly along said curve, having a radius of 1301.99 feet, concave southerly, whose radius bears South $08^{\circ}06'59''$ West, through a central angle of $16^{\circ}44'03''$, a distance of 380.27 feet, to the **POINT OF BEGINNING**;
THENCE continuing easterly along said curve, having a radius of 1301.99 feet, concave southerly, through a central angle of $00^{\circ}38'53''$, a distance of 14.72 feet, to a point of intersection with a non-tangent line;
THENCE leaving said southerly right-of-way line, South $26^{\circ}24'43''$ West, a distance of 107.51 feet;
THENCE North $63^{\circ}35'17''$ West, a distance of 14.73 feet;
THENCE North $26^{\circ}24'43''$ East, a distance of 107.20 feet to the **POINT OF BEGINNING**.

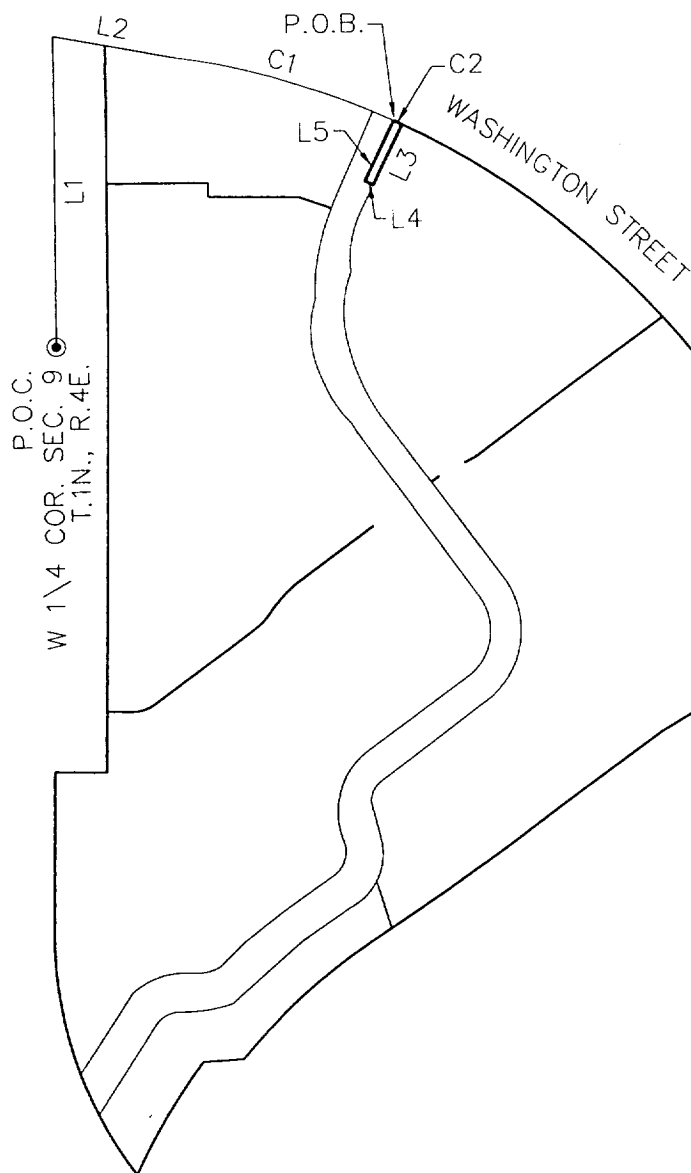
Containing 0.0362 acres, or 1,581 square feet of land, more or less.

Subject to existing rights-of-way and easements.

Y:\WP\Parcel Descriptions\97597-04.M27#2.wpd

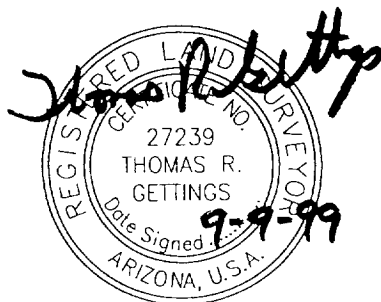


15 Year Anniversary



CURVE TABLE			
CURVE	RADIUS	DELTA	LENGTH
C1	1301.99'	16°44'03"	380.27'
C2	1301.99'	00°38'53"	14.73'

LINE TABLE		
LINE	BEARING	LENGTH
L1	N00°22'49"E	500.17'
L2	S79°13'31"E	193.14'
L3	S26°24'43"W	107.51'
L4	N63°35'17"W	14.73'
L5	N26°24'43"E	107.20'



WOOD/PATEL

1550 East Missouri
Phoenix, AZ 85014
Phone: (602) 234-1344
Fax: (602) 234-1322

EXHIBIT "A"

PROPOSED ABANDONEMENT OF
A PORTION OF AN EXISTING
DRAINAGE CHANNEL EASEMENT

09-09-99

WP#97597.04

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NOT TO SCALE

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